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Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, Virginia 23510-2191

**James R. Paschall**  
**Senior General Attorney**

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October 3, 2008

**Via fax – (202) 245-0464**

Honorable Anne K. Quinlan, Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

RE: STB Docket No. AB-290 (Sub-No. 266X), Norfolk Southern Railway  
Company – Abandonment Exemption – in Marion, McDowell  
County, North Carolina

Dear Ms. Quinlan

Norfolk Southern Railway Company (NSR) has not consummated the abandonment of the line that is the subject of this proceeding. The interim trail use negotiation condition in this matter expired on October 1, 2008. NSR continues to negotiate with the City of Marion for an interim trail use agreement with respect to the subject line. NSR consents to the Board's issuance of an extension (to April 1, 2009) of the trail use negotiation condition requested by the City of Marion in its letter to the Board filed September 30, 2008.

NSR requests that the consummation date deadline be extended to 60 days after the expiration date of the extended trail use negotiation period.

Sincerely,

James R. Paschall | KCH  
James R. Paschall

cc: Bob Boyette, City Manager  
City of Marion  
P. O. Drawer 700  
Marion, NC 28752